

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
FORT SMITH DIVISION

EMMA RUSH

PLAINTIFF

v.

No. 2:16-CV-02255

STATE ARKANSAS DWS

DEFENDANT

ORDER

The Court has received a report and recommendations (Doc. 14) from United States Magistrate Judge Mark E. Ford. The Magistrate recommends that the Court grant Defendant's motion (Doc. 10) to dismiss for lack of jurisdiction and for failure to state a claim or exhaust administrative remedies. The Magistrate further recommends that Plaintiff's motion (Doc. 13) to appoint counsel be denied. Plaintiff has filed objections (Doc. 18) to the report and recommendations.

Upon due consideration, the Court finds that the Magistrate's report (Doc. 14) contains no clear error, and that it should be, and hereby is, ADOPTED IN ITS ENTIRETY.

IT IS THEREFORE ORDERED that Defendant's motion to dismiss (Doc. 10) is GRANTED and this case is DISMISSED WITH PREJUDICE.

Judgment will be entered accordingly.

IT IS FURTHER ORDERED that Plaintiff's motion to appoint counsel (Doc. 13) is DENIED.

IT IS SO ORDERED this 24th day of January, 2017.

/s/ P. K. Holmes, III

P.K. HOLMES, III
CHIEF U.S. DISTRICT JUDGE